

**Introduced by Senator Ortiz**

February 21, 2003

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An act to add Article 21 (commencing with Section 114500) to Chapter 4 of Part 7 of Division 104 of the Health and Safety Code, relating to restaurants.

LEGISLATIVE COUNSEL'S DIGEST

SB 679, as introduced, Ortiz. Fast food restaurants: nutritional information.

Existing law, the California Uniform Retail Food Facilities Law (CURFFL), provides for the regulation of health and sanitation standards for retail food facilities by the State Department of Health Services. A violation of any of these provisions is punishable as a misdemeanor.

This bill would require each restaurant in this state that is part of a large chain of fast food restaurants, as defined, to provide customers with complete nutritional information, upon request, on all food items sold at the restaurant. This bill would also require the restaurant to post a sign on the premises of the restaurant that nutritional information concerning food items is available upon request.

By expanding the definition of a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

SECTION 1. Article 21 (commencing with Section 114500)  
is added to Chapter 4 of Part 7 of Division 104 of the Health and  
Safety Code, to read:

Article 21. Restaurant Nutrition

114500. (a) Each restaurant in this state that is part of a large  
chain of fast food restaurants shall provide customers in this state  
with complete nutritional information, upon request, on all food  
items sold at the restaurant. The restaurant shall also post a sign on  
the premises that nutritional information concerning food items  
served at the restaurant is available upon request.

(b) The information provided to the customer pursuant to this  
section shall be in printed form, such as a flyer or pamphlet, that  
the customer may keep.

(c) For the purposes of this section, nutritional information  
provided by a restaurant to a customer shall include the same  
information that is required by federal law to appear in nutrition  
labeling pursuant to subsection (q) of Section 343 of Title 21 of the  
United States Code.

(d) For the purposes of this section, the following definitions  
apply:

(1) “Large chain” means a chain of restaurants that includes 10  
or more franchises or restaurants in this state.

(2) “Fast food restaurant” means a restaurant that sells  
low-cost food products often on a “take out” or “to go” basis to  
customers who pay in advance for their food.

SEC. 2. No reimbursement is required by this act pursuant to  
Section 6 of Article XIII B of the California Constitution because  
the only costs that may be incurred by a local agency or school  
district will be incurred because this act creates a new crime or  
infraction, eliminates a crime or infraction, or changes the penalty  
for a crime or infraction, within the meaning of Section 17556 of  
the Government Code, or changes the definition of a crime within

1 the meaning of Section 6 of Article XIII B of the California  
2 Constitution.

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